

### **Remarks/Arguments**

Applicants respectfully request consideration of the subject application as amended herein. This Amendment is submitted in response to the Office Action mailed May 17, 2007. Claims 1, 7-11, 17-21, and 27-30 are rejected. Claims 2-6, 12-16, and 22-26 are objected to.

In this Amendment, claims 1, 3, 11, 13, 21, 23 and 30 have been amended. Claims 2, 12, and 22 have been canceled without prejudice. It is respectfully submitted that the amendment does not add new matter. Therefore, claims 1, 3-11, 13-21, and 23-30 are presented for examination. Applicants reserve all rights with respect to the applicability of the Doctrine of equivalents.

The Examiner objected to claim 30 for improper dependency. Applicants have amended claim 30 to properly depend from claim 21. Therefore, Applicants respectfully request the withdrawal of the claim objection.

The Examiner has rejected claims 1, 10-11, 20-21, and 30 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,928,331 to Bushmitch in view of an article entitled "Enhanced Streaming Services in a Content Distribution Network" by Cranor, et al. (hereinafter "Cranor"). The Examiner has rejected claims 7-9, 17-19, and 27-29 under 35 U.S.C. §103(a) as being unpatentable over Bushmitch in view of Cranor as applied to claim 1, and further in view of an article entitled "Research and Design of a Mobile Streaming Media Content Delivery Network" by Wee, et al. (hereinafter "Wee").

However, the Examiner found claims 2-6, 12-16, and 22-26 allowable if rewritten into independent form. Applicant has amended independent claim 1 to incorporate the limitations held allowable in claim 2; independent claim 11 to incorporate the limitations held allowable in claim 12; and independent claim 21 to incorporate the limitations held allowable in claim 22. Therefore, Applicants respectfully submit that the claims as amended are allowable over the prior art, as stated by the Examiner.

**Conclusion**

Applicant respectfully submits that in view of the amendments and discussion set forth herein, the applicable rejections have been overcome. Accordingly, the present and amended claims should be found to be in condition for allowance.

If a telephone interview would expedite the prosecution of this application, the Examiner is invited to contact Judith A. Szepesi at (408) 720-8300.

If there are any additional charges/credits, please charge/credit our deposit account no. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

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/Judith A. Szepesi/

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